

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Costs for Administration of Collective Bargaining Litigation and Arbitration	REFERENCE NUMBER: 2009-020
DATE ISSUED: 04/09/2009	SUPERSEDES:

This memorandum should be forwarded to:

**Accounting Officers
Personnel Officers
Budget Officers
Personnel Transactions Supervisors**

FROM: Department of Personnel Administration
Legal Division

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The purpose of this memorandum is to notify departments of a rate change in legal services costs for the Department of Personnel Administration (DPA) Legal Division. Effective July 1, 2009, the rate for attorney services will increase to \$170.00 per hour, which follows the Attorney General's Office fee schedule. The billing rate for law clerks and paralegal services will also increase to \$120.00 per hour. Litigation expenses, costs and fees, including, but not limited to, filing fees, expert witnesses and consultant costs may be billed to departments, as DPA determines.

Government Code Section 19815.6 provides that the Chief Counsel of DPA, independent of the Attorney General, is authorized to represent the State in all legal matters in which DPA is interested, before any administrative agency or court law. Accordingly, all State departments and agencies will be represented by DPA's attorneys for injunctive relief and hearings before the Public Employment Relations Board, other administrative bodies, at arbitrations held pursuant to the provisions of negotiated Memoranda of Understanding (MOU), and in all other labor law and non-merit personnel matters in state and federal courts. Representation by DPA attorneys will be mandated in such cases regardless of whether the dispute arises at the department or DPA level. (Budget Letter No. 01-04.)

/s/ Warren C. (Curt) Stracener

Bill Curtis
Chief Counsel